

REMARKS

This is a full and timely response to the nonfinal Office Action of February 4, 2005. Reconsideration and allowance of the application and all presently pending claims are respectfully requested. In addition, the claim set from the most recent communication in December 2004 has been included to comply with the Notice of Non-Compliant Amendment of August 4, 2005.

Upon entry of this Response, claims 1-5 and 7-15 are pending in this application. The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims. Appendices A through E are attached hereto.

Claims 1-5 and 7-15

Claims 1-5 and 7-15 are rejected under 35 U.S.C. §102(e) as purportedly being anticipated by DiFilippo *et al.* (U.S. Patent 6,829,378). In this regard, Applicants submit herewith two Declarations under C.F.R. 1.131 (Exhibits A and B) showing that DiFilippo is not a valid reference under 35 U.S.C. § 102. Since Applicants conceived the invention(s) prior to (Exhibit A) and exercised due diligence in the preparation and filing of the application through the filing date of DiFilippo (Exhibit B), Applicants respectfully assert that, for at least this reason, DiFilippo is not a valid reference for anticipating the pending claims. Therefore, Applicants respectfully assert that the rejections under 35 U.S.C. § 102 are improper and should be removed.

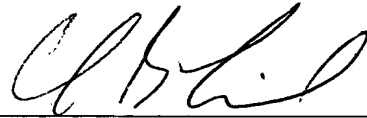
In particular, Exhibit A is a declaration from the inventors and demonstrates conception of the invention(s) prior to the filing date of DiFilippo. Exhibit B is a declaration for the undersigned attorney and attests to due diligence in the preparation of the application prior to the filing date of DiFilippo and until the instant application was filed. In combination, Exhibits

A and B show the conception and the due diligence that is necessary to remove DiFilippo as a reference.

CONCLUSION

Applicants respectfully request that all outstanding rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicant's response, the Examiner is encouraged to telephone the Applicant's undersigned counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. B. Linder', is written over a horizontal line.

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